

**SERVICES FOR SPECIAL POPULATIONS & NON-TRADITIONAL OCCUPATIONS**

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**OREGON REVISED STATUTES  
AND  
OREGON ADMINISTRATIVE RULES  
2007**

**Oregon Administrative Rule #581-015-2005 (renumbered from 0035)** requires that school districts operating or initiating special education programs shall have their programs approved by the State Superintendent of Public Instruction in order to qualify such programs for state reimbursement.

As part of this process districts shall subscribe to the following:

- ✓ Special education instructional programs in the district shall include a continuum of services to meet the individual special education needs of all resident children with disabilities.
  - ✓ Special education shall be established and conducted as an integral part of the district's regular school program;
  - ✓ Children who require special education have the same rights and privileges provided to other children.
- **Oregon Administrative Rule #581-015-2080 (renumbered from 0037)** requires that school districts shall identify, locate and evaluate all resident children who may have a disability and who may need special education services including highly mobile children with disabilities (such as migrant and homeless children).
  - **Oregon Administrative Rule #581-015-2585 (renumbered from 0301)  
Youth (Juvenile) Corrections Education and Juvenile Detention Education Programs**  
The following administrative rules apply to education programs for youth housed in Oregon Youth Authority youth correctional facilities:
    - (a) Special Education Rules (*OARs listed*)
    - (b) School Improvement and Professional Development Rules (*OARs listed*)
    - (c) School Governance and Student Conduct (*OARs listed*)
    - (e) Funds to State and Local Agencies to Provide Employment and Training Services under the Workforce Investment Act (formerly the Job Training Partnership Act (JPTA) (*OARs listed*))
    - (3) Juvenile Detention Education Program: All rules applicable to education programs for OYA youth correction facilities, as set out in sections (1) of this rule, apply to educational programs for juvenile detention facilities.
  - **Oregon Revised Statutes #39.115 Part 7 Admission of Students**  
(7) Notwithstanding ORS 339.133 (1), a school district shall not exclude from admission a child located in the district solely because the child does not have a fixed place of residence or solely because the child is not under the supervision of a parent, guardian or person in a parental relationship.

- **Oregon Revised Statute #336.640** -- Rules Governing Education for Pregnant and Parenting Students
- **Oregon Revised Statute # 659.850 (2) English Language Learners (ELL students)** provides that...  
Districts shall develop and implement a plan for identifying students whose primary language is other than English and shall provide such students with appropriate programs until they are able to use the English language in a manner that allows effective and relevant participation in regular classroom instruction and other educational activities.

**Oregon Administrative Rule #581-021-0046(8)** requires public schools to:

- (1) develop and implement a plan for identifying students whose primary language is other than English;  
and
- (2) provide those students with “appropriate programs” until they are able to effectively participate in regular classroom instruction.

- **Oregon Revised Statute # 659.850 (2)** prohibits discrimination in public education programs and services. Subsection (1) defines “discrimination” as:

[A]ny act that unreasonably differentiates treatment, intended or unintended, or any act that is fair in form but discriminatory in operation, either of which is based on age, disability, national origin, race, marital status, religion or sex.

**(Oregon Administrative Rule #581-021-0045)**

- **Oregon Administrative Rule #581-015-2265 (renumbered from 0068)** requires that each student eligible for special education shall have an individualized education program (IEP).
- **Oregon Administrative Rule #581-015-2200** which addresses the content of the IEP requires:
  - (A) Appropriate measurable postsecondary goals based upon age appropriate transition assessments related to training, education, employment, and where appropriate, independent living skills; and Beginning at age 16, the IEP must include a statement of the needed transition services for the student, and if appropriate, a statement of the interagency responsibilities or any needed linkages.
- **The Elementary & Secondary Education Act of 2001 (No Child Left Behind) SEC. 1001** The purpose of this title is to ensure that all children have a fair, equal, and significant opportunity to obtain a high quality education and reach, at a minimum, proficiency on challenging State academic achievement standards and state academic assessments. This purpose can be accomplished by:
  - (1) ensuring that high-quality academic assessments, accountability systems, teacher preparation and training, curriculum, and instructional materials are aligned with challenging State academic standards so that students, teachers, parents, and administrators can measure progress against common expectations for student academic achievement;
  - (2) meeting the educational needs of low-achieving children in our Nation's highest-poverty schools, limited English proficient children, migratory children, children with disabilities,

Indian children, neglected or delinquent children, and young children in need of reading assistance;

(3) closing the achievement gap between high- and low-performing children, especially the achievement gaps between minority and non-minority students, and between disadvantaged children and their more advantaged peers;

(4) holding schools, local educational agencies, and States accountable for improving the academic achievement of all students ... while providing alternatives to students in such schools to enable the students to receive a high-quality education;

(5) improving and strengthening accountability, teaching, and learning by using State assessment systems designed to ensure that students are meeting challenging State academic achievement and content standards and increasing achievement overall, but especially for the disadvantaged;

▪ **The Elementary & Secondary Education Act of 2001 (*No Child Left Behind*) Title III -- SEC. 3102. PURPOSES** The purposes of this part are —

(1) to help ensure that children who are limited English proficient, including immigrant children and youth, attain English proficiency, develop high levels of academic attainment in English, and meet the same challenging State academic content and student academic achievement standards as all children are expected to meet;

(2) to assist all limited English proficient children, including immigrant children and youth, to achieve at high levels in the core academic subjects so that those children can meet the same challenging State academic content and student academic achievement standards as all children are expected to meet, consistent with section 1111(b)(1);

(3) to develop high-quality language instruction educational programs designed to assist State educational agencies, local educational agencies, and schools in teaching limited English proficient children and serving immigrant children and youth;

(4) to assist State educational agencies and local educational agencies to develop and enhance their capacity to provide high-quality instructional programs designed to prepare limited English proficient children, including immigrant children and youth, to enter all-English instruction settings;

(5) to assist State educational agencies, local educational agencies, and schools to build their capacity to establish, implement, and sustain language instruction educational programs and programs of English language development for limited English proficient children; and youth, develop proficiency in English, while meeting challenging State academic content and student academic achievement standards;

(8) to hold State educational agencies, local educational agencies, and schools accountable for increases in English proficiency and core academic content knowledge of limited English proficient children by requiring —

(A) demonstrated improvements in the English proficiency of limited English proficient children each fiscal year; and

(B) adequate yearly progress for limited English proficient children, including immigrant children and youth, as described in section 1111(b)(2)(B); ...to enable each student to succeed in school and beyond high school into continuing education and employment.